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VIA ECF

March 27, 2023

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The Hon. Zahid N. Quraishi
United States District Court Judge
United States District Court for the
District of New Jersey
402 E State Street
Courtroom 4W
Trenton, NJ 08608

Re: *Haggerty v. BlueTriton Brands, Inc. et al.*, Case No. 3:21-cv-13904-ZNQ-DEA

Dear Judge Quraishi:

Defendants BlueTriton Brands, Inc. and Niagara Bottling LLC respectfully request that the Court dismiss this action with prejudice. By Order dated December 16, 2022 (ECF No. 38), the Court dismissed the Amended Complaint in this matter, but allowed Plaintiff 30 days in which to file a Second Amended Complaint, along with the warning that “[g]iven Plaintiff’s two prior attempts, failure to do so may result in the matter being dismissed with prejudice.” Dec. 16, 2022, Order [Dkt. 38]. Plaintiff has not filed a Second Amended Complaint. Accordingly, Defendants respectfully request that the Court dismiss this action with prejudice.

Defendants submit a proposed order along with this letter. The filing attorney certifies that each signatory below has expressly agreed to the form and substance of the document and has authorized the filing attorney to submit this document electronically.

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Sincerely,

/s/ Colleen Powers

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Attachment